

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:18-cv-01878-PAB-NYW

NANCY BURGESS,
on her own behalf and
on behalf of all others similarly situated,

Plaintiffs,

v.

RESTAURANT EXPRESS DELIVERY, LLC d/b/a FIVE STAR FOOD EXPRESS,
PHILIP PORTMAN,
MATTHEW P. BARTNIK, and
BETHANY BARTNIK,

Defendants.

**STIPULATION OF DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

Defendants Restaurant Express Delivery, LLC, Philip Portman, Matthew P. Bartnik and Bethany Bartnik, and Plaintiff Nancy Burgess by her counsel hereby submit this Stipulation of Dismissal With Prejudice Pursuant to Fed. R. Civ. P. 41(a)(1)(ii). Having reached a settlement resolving all claims at issue in this case, the parties request dismissal with prejudice.

Each party will bear its own attorneys' fees and costs, except as may otherwise be agreed by the parties.

Respectfully Submitted,

/s/Andrew Turner

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Counsel for Plaintiff



Restaurant Express Delivery, LLC
d/b/a Five Star Food Express
By: Phillip Portman
Registered Agent

Defendant



Phillip Portman

Defendant



Matthew P. Bartnik

Defendant



Bethany Bartnik

Defendant

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2018, I served a true and correct copy of the foregoing on all Defendants *vis* 1st Class U.S. Mail:

Restaurant Express Delivery, LLC
d/b/a Five Star Food Express
c/o Phillip Portman
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/s/ Andrew H. Turner
Andrew H. Turner
Counsel for Plaintiff